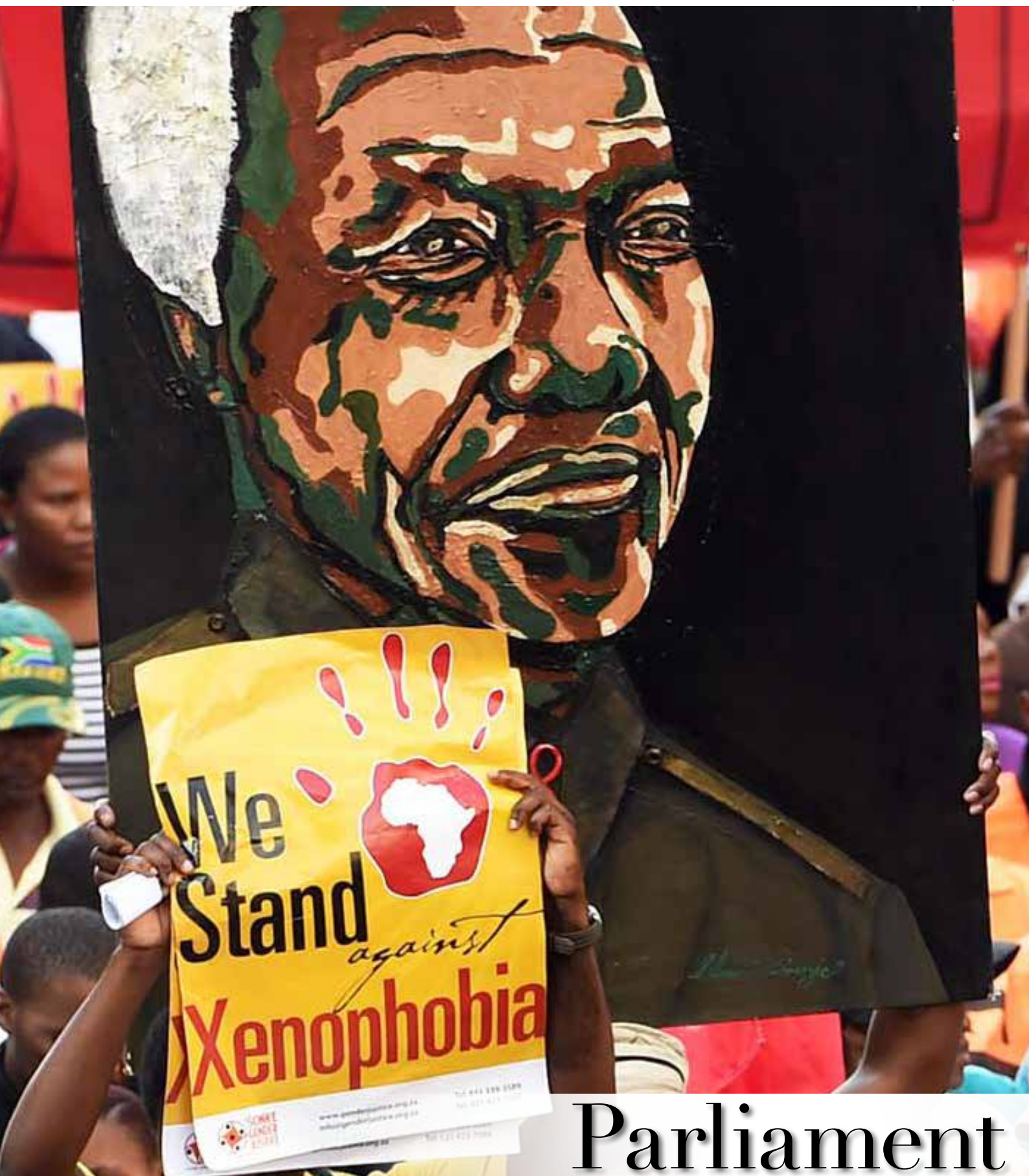


Monthly magazine of the Parliament of the Republic of South Africa

in session



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Parliament

takes strong stand against xenophobia



PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA



Mace of National Assembly

Vision Statement

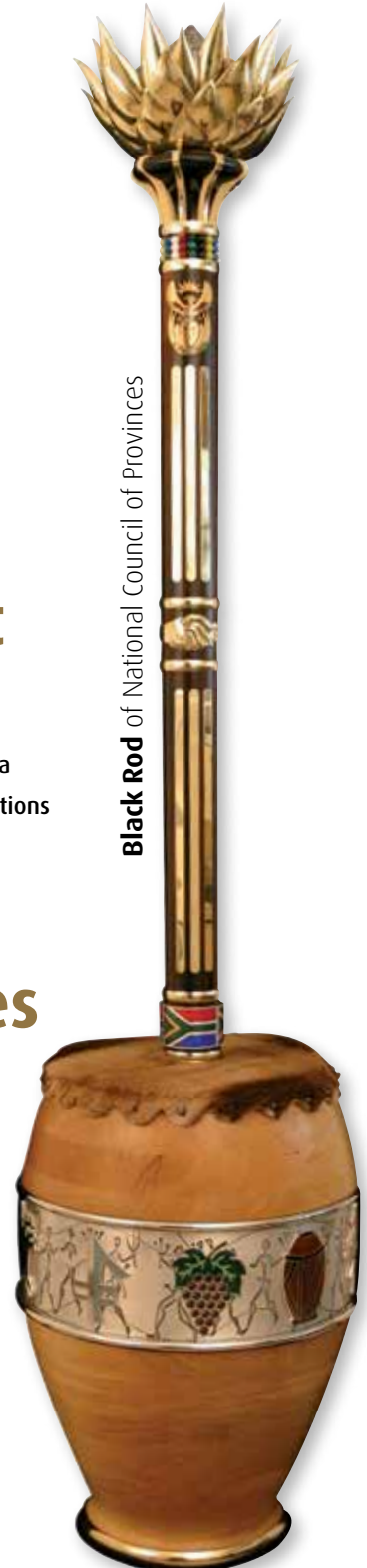
To build an effective people's Parliament that is responsive to the needs of the people and that is driven by the ideal of realising a better quality of life for all the people of South Africa.

Mission Statement

As the freely elected representatives of the people of South Africa, our Mission is to represent, and to act as a voice of the people, in fulfilling our Constitutional functions of passing laws and overseeing executive action.

Strategic Objectives

1. Strengthen oversight
2. Build a People's Parliament
3. Strengthen co-operative government
4. Improve international participation
5. Build an effective and efficient institution



Black Rod of National Council of Provinces

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COVER: Parliament added its voice to condemnation of attacks and violence against foreign nationals.

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OUR IDEALS


VISION To build an effective people's Parliament that is responsive to the needs of the people and that is driven by the ideal of realising a better quality of life for all the people of South Africa.


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What is good governance?

From the human development perspective, good governance is democratic governance. Democratic governance means that:

- People's human rights and fundamental freedoms are respected, allowing them to live with dignity.
- People have a say in decisions that affect their lives.
- People can hold decision-makers accountable.
- Inclusive and fair rules, institutions and practices govern social interactions.
- Women are equal partners with men in private and public spheres of life and decision-making.
- People are free from discrimination based on race, ethnicity, class, gender or any other attribute.
- The needs of future generations are reflected in current policies.
- Economic and social policies are responsive to people's needs and aspirations.
- Economic and social policies aim at eradicating poverty and expanding the choices that all people have in their lives.

From the Human Development Report 2002

hdr.undp.org/en/global-reports

editor's note



Parliament *has taken an uncompromisingly firm stand against xenophobia in our country. The Presiding Officers have made it quite clear that all forms of intolerance in South Africa are unacceptable. They remind us that South Africans live according to the principles of the Freedom Charter and the Constitution, which entrenches our common humanity and outlaws all racism, sexism*

South Africans will always remember, with appreciation, the support given to us during our own struggle for freedom, particularly by fellow citizens of Africa. This issue of *InSession* includes a report on the Member's debate on 16 April, which condemned xenophobia in no uncertain terms (see page 12). We report President Jacob Zuma's call for peace-loving South Africans to lead the struggle against this intolerance. In the article on his speech in the House (see page 14) he reminded us that: "Violent attacks against foreign nationals violate all the values that South Africa embodies, especially respect for human rights, human dignity and ubuntu."

Parliament followed the sitting with a special constituency period for Members to engage with their communities and share a message of tolerance. MPs also went to hear what the citizens had to say about these matters and to develop the required understanding of all the relevant issues ahead of the establishment of an Ad hoc Joint Committee. The next step will be a Joint Sitting of the National Assembly and National Council of Provinces (NCOP) to celebrate Africa Day in May, to reaffirm our common African identity and reassert our shared humanity as Africans.

Parliament marked Freedom Day with a joint debate, unfortunately held after this publication had gone to press (read the full report on our website at www.parliament.gov.za). It reminded us of our first democratic, non-racial election in 1994, which demonstrated our ability as South Africans to come together in peace to forge our shared democracy.

This issue of *InSession* also includes a special 6-page focus on the NCOP's Taking Parliament to the People held in the southern Cape in April (see pages 16 to 21). Opening the proceedings, Mr Raseriti Tau, the Deputy Chairperson of the NCOP, reminded thousands at a mass gathering in Oudtshoorn that "We have just surpassed the 20th year of our democratic Parliament, which is a milestone in our heroic journey to build a truly democratic and socially unified nation. Although we have travelled a long and difficult road over the past 20 years we must acknowledge that much more needs to be done to improve the living conditions of the poor and marginalised."

Taking Parliament to the People aims to do exactly that. Held twice a year for the past 16 years, Members of Parliament, provincial legislatures and local municipalities visit those marginalised citizens to hear their needs and demands. This year was no different, although it is the first time that the programme has been held in the Western Cape. Delegations visited communities to inspect schools, sanitation, health and other essential facilities to identify programmes that need special assistance or urgent attention.

The closing event was addressed by the Deputy President, Mr Cyril Ramaphosa, who described Taking Parliament to the People programme as "democracy in action". He went on to say that it reminded him of the historic Congress of the People held in Kliptown in 1956 to gather a comprehensive list of the people's demands. We also reproduce the address made at the closing ceremony by the Chairperson of the NCOP, Ms Thandi Modise, in our regular Message from Parliament's Presiding Officers (see page 6).

As usual, *InSession* includes its regular columns aimed to achieve Parliament's commitment to oversight – tracking the progress of legislation, recording questions put to Cabinet members, and of course reporting the critical work of Parliament's Committees. There are 54 Committees engaged in public consultation and oversight activities. For reasons of space, this parliamentary flagship magazine can only include articles on a selection of Committees (see various reports on pages 9, 11, 24, 28 30 and 32), but for daily coverage of the work of Parliament visit our website and social media sites. We call on you to engage with us. This is your Parliament.

Enjoy the read!

Moira Levy
Editor



MESSAGE FROM THE national council of provinces

The Chairperson of the National Council of Provinces, Ms Thandi Modise

Taking *Parliament to the People programme in Western Cape has helped us to deal with some of the important aspects in relation to government priorities. It was important to consult with communities to enable them to understand the challenges faced by government, since people are not merely spectators, but active participants.*

During March we visited the Eden District. We inspected sites and held our public meetings. We have to say that we have seen the best managed institutions in the District. We have seen other clinics, schools and hospitals that are well run, well resourced or simply need to be structured differently.

A number of issues relating to service delivery implementation and lack thereof were raised by members of the public. They were asserting neglect of the formerly marginalised communities. Most of the members of the community argued for a shift from the existing inequitable service delivery patterns, citing corruption, nepotism and irregularities in supply chain management and tender adjudication in the Eden Municipality.

Some of the issues raised were corruption in the allocation of RDP houses and the management of the housing allocation list, and the allocation of houses on the basis of political affiliation. The other issue that was raised was the high rate of crime, especially in the townships, and the slow response of police due to a lack of staffing in the SAPS and unavailability of resources. The other matters raised were unresolved land claims by the government and the municipality, and the exclusion of the Khoi-San and black citizens in development projects.

As part of our programme, we held the following public hearings: local government; human settlement, water and sanitation; basic education and higher education; early childhood development and care of the aged; health, social development and Home Affairs; agriculture, labour and land reform; economic development and youth; police and justice; and energy.

Parliament has committed itself to be effective and responsive to the needs of the people. We shall make sure that departments respond to all matters that were raised here during the visit.

The problems that our people have raised are among the following: poor service delivery by municipalities in the district; infrastructure decay as some clinics and schools need refurbishment; shortages of ambulances in the clinics; and increasing crime in the communities and the need for visible policing.

During the week we also had commitment from the Deputy Ministers that were present. They have also committed to resolve the problems. We are concerned about the governance of the Oudtshoorn Local Municipality. This matter must be resolved speedily. The George and Mossel Bay municipalities were reported as only employing white people. These allegations we shall follow up and contribute towards balanced race/gender relations in all

communities.

In order to make a significant impact in speeding up the delivery of services to the people, we need to pay special attention to social cohesion in the area. We also really need to address issues of escalating poverty, inequality and racial segregation.

Based on the list of challenges and issues enumerated above, the political leadership observed during this visit that it was clear that the government's agenda on achieving social cohesion through integrated development practices may be compromised if oversight and monitoring of local government performance is not enhanced and strengthened.

We have taken a decision that in the fifth Parliament we should like to see the programme being used to make meaningful and sustainable interventions in the communities we visit. We are now focusing on improving this programme to continue to have a broader meaning to make Parliament a people's Parliament. We are focusing our work in order to make the necessary impact and also to innovate.

We shall as the NCOP co-ordinate follow-up activities on these matters. However, it is important that the Provincial Legislatures and the Municipal Councils do their parts as part of their oversight in respect of their functional areas in responding to the issues that were raised.

This is an edited extract of the speech by the Chairperson of the National Council of Provinces, Ms Thandi Modise, on the occasion of the closing plenary of Taking Parliament to the People – Western Cape. 🌟

i put the question

Questions put to ministers in April concerned the salaries of traditional leaders, the intentions of mining company Glencore and Eskom's maintenance schedule, among other issues.



Mr Mosiuoa Lekota (Cope)

Mr Mosiuoa Lekota (Cope) asked the Minister of Public Enterprises, Mr Malusi Gigaba, whether Eskom had found opportunities to undertake maintenance of all its power plants in the period between 1 January 2015 and 31 March 2015 in anticipation of the greater demand for electricity during winter.

The Minister answered: Eskom performs more planned maintenance during the summer months than the winter months, as the lower electricity demand in summer allows more space for maintenance and it ensures that most of the fleet is in good condition to meet the winter demand. It is also important to note that maintenance is scheduled within resource limitations and that it would not be possible or desirable to schedule maintenance on all generating units in any given season.

Eskom has an annual planned maintenance of 10.05%, which includes all maintenance to address safety, statutory and technical governance requirements. The planned maintenance performance for January and February 2015 was 11.87% and 12.88% respectively. The final figure for March 2015 is not yet available but is estimated to be 13%.

Mr Lennox Gaehler (UDM) asked the Minister of Cooperative Governance and Traditional Affairs, Mr Pravin Gordhan, if he would consider the

standardisation of salary packages for traditional leaders and whether the increment of salaries for traditional leaders would be realigned with that of other public representatives and regulated accordingly.

The Minister replied: Traditional leaders are public office bearers. In this regard, the Honourable Member is referred to Section 219 (1) of the Constitution, 1996, read with the definition of "office bearer" in Section 1 of the Independent Commission for the Remuneration of Public Office Bearers Act, 1997, and the definition of "office bearer" in Section 1 of the Remuneration of Public Office Bearers Act, 1998. The salaries, allowances and benefits of all public office bearers, thus including traditional leaders, are determined by the President based on recommendations made by the Independent Commission on the Remuneration of Public Office Bearers, after consultation with the relevant stakeholders. It is therefore not the Minister for Cooperative Governance and Traditional Affairs who recommends or determines the salaries of traditional leaders.

Nonetheless, I wish to inform the honourable member that the salaries of traditional leaders are indeed standardised. For example, the salary level of all kings and senior traditional leaders is the same irrespective of which community they belong to or in which province they are located.

The same applies to other traditional leadership positions.

As mentioned, the realignment of salary increments is the prerogative of the President after taking into account recommendations made by the Independent Commission on the Remuneration of Public Office Bearers.

Mrs Cheryllyn Dudley (ACDP) asked the Minister of Mineral Resources, Adv Ngoako Ramatlhodi, if his department has had discussions with mining company Glencore prior to or since receiving notice that it is considering the closure of some of its coal mining operations in South Africa, which would reduce its overall South African production by at least five million saleable tons of coal a year and affect more than 1 000 employees. She also asked if operations like Optimum Coal Mine have departmental interaction or assistance in exploring options.

The Minister responded: The department has been in discussion with Glencore and they have met on three occasions. The discussions are still ongoing.

Yes, the Commission for Conciliation, Mediation and Arbitration, United Association of South Africa, National Union of Mineworkers and Productive South Africa are also part of the negotiations, as well as the Department of Labour.

Kgoši Setlamorago Thobejane (ANC) asked the Minister of Cooperative Governance and Traditional Affairs, Mr Pravin Gordhan, whether the government has any plans aligned to the budget to support the Institution of Traditional Leadership in South Africa in order to enable them to perform their responsibilities effectively.

The Minister replied: The Institution of Traditional Leadership in South Africa is recognised by Chapter 12 of the Constitution of the Republic of South Africa (1996) Act 108 of 1996, as a concurrent function of both the national and provincial spheres of government, for the institution to discharge its responsibilities.

The Institution of Traditional Leadership receives its support from the national Department of Traditional Affairs through the allocation of budgets for the implementation of strategic plans in support of three entities, namely, the National House of Traditional Leaders, Commission for Religious, Linguistic and Cultural Rights and the Commission for Disputes and Claims.

At the provincial level, provincial and local houses (including traditional councils) are supported through the allocation of financial and human resources through the provincial departments of Local Government and Traditional Affairs. The Medium Term Economic Framework Strategic Plans and Annual Performance Plans of both national and provincial departments contain programmes to support the Institution of Traditional Leadership, among other things, on capacity building, institutional support and so on.

Mr Mergan Chetty (DA) asked the Minister of Human Settlements, Ms Lindiwe Sisulu, what mechanisms are in place to ensure that the tender awarding process is administered to ensure that only qualified and experienced builders are awarded building contracts for state-subsidised houses.

The Minister responded: The provisions of the Housing Consumers Protection Measures Act, 1998 (Act No 95 of 1998) applies to all housing development projects undertaken with funding available from the National Housing Programmes. This means that the tender board would have to look at whether the company is registered with the National Home Builders Registration Council (NHBRC); the ability of the company to execute the norms and standards as set out by the NHBRC; and whether the company would be able to execute within the set time frames.

Only home builders who are registered with the NHBRC may be appointed to undertake housing construction projects.

Furthermore, the NHBRC has an additional role of regularly inspecting the development project and enforcing the applicable technical norms and standards and monitoring the ability and competencies of the home builders. Where required, the NHBRC will de-register home builders that are not complying with the norms and standards.

Mr Petros Sithole (IFP) asked the Minister of Public Works, Mr Thulas Nxesi, what progress his department has made in transforming the built environment industry and

the total number of accredited black professionals.

The Minister answered: There are a number of initiatives currently being implemented by the National Department of Public Works (NDPW) and its entities that aim to transform the built environment. These initiatives include the following: (i) The Council for the Built Environment (CBE) recently introduced a mathematics and science support programme that targets learners from disadvantaged communities in Limpopo, North West, Free State and Gauteng by assisting Grade 12 learners to obtain better grades in mathematics and science. Research has indicated that most students enrolled for studies in the built environment fields do not do well, mainly because of a poor mathematics and science background.

(ii) In 2014, the NDPW awarded 143 bursaries to students enrolled for studies towards built environment qualifications. Currently there are 163 students enrolled for various built environment qualifications funded through the Public Works Bursary Programme. Twenty-four bursary holders who completed their academic programme in December 2014 are currently participating in the department's Internship and Candidacy Programme.

The number of black registered professionals was 7 710 as at March 2012. This increased to 10 760 by December 2014, an increase of 39.5%. Black registered professionals represent 16% of the 42 004 registered professionals as at December 2014. 🌐

highlights from the committee rooms



Every month Parliament's Committees exercise their law-making and oversight functions. **Cedric Mboyisa** compiled this summary of a selection of Committees' deliberations.

The Portfolio Committee on Agriculture, Forestry and Fisheries

engaged with stakeholders during a strategic workshop from 17 to 19 April with the aim of formulating strategic performance objectives for the five-year term (2014-2019) and drafting its 2015/16 Annual Performance Plan. The Committee said the workshop's objectives were to align the Committee's strategic objectives with those of the fifth Parliament; better understand the agriculture, forestry and fisheries sector; determine the Department of Agriculture, Forestry and Fisheries' (DAFF) mandate and strategic priorities and their alignment with the National Development Plan (NDP) and medium-term strategic framework for the five-year term; and determine the DAFF and its entities' work plans, policy and legislative programmes.

Committee Chairperson Ms Machwene Semanya said the Committee's plans are guided by the NDP. "The three sectors play the role of game-changer in economic development and contribution to growth and job creation. Therefore, it is fundamental that the transformational agenda in the sector is prioritised and accelerated," Ms Semanya said.

The Committee agreed that the DAFF should build a strategic relationship with Agri-Setas and work with the industry on a human resource development strategy for the sector.

Furthermore, the Committee noted the uncoordinated support for smallholder farmers, which resulted in wastage. The Committee urged the DAFF to look at a one-stop funding model, and create norms and standards for the education and training of the poor. The Committee further proposed that the training should not only focus on formal qualifications, but should also build the skills of the unskilled and illiterate in order to reach as many people as possible, particularly small-scale producers.

The Portfolio Committee on Justice and Correctional Services

has welcomed the proposal made by the Minister regarding a colloquium for the sector later this year. The colloquium will include all stakeholders in the sector. Acting Committee Chairperson, Ms Chana Pilane-Majake, said this will be a useful exercise. "People sometimes complain about others encroaching on their turf. It will be good to have all the parties in one room to discuss where some powers stretch to or where some end." The department intends to host the colloquium towards the end of the year where the Office of the Chief Justice and the independence of the judiciary will be discussed with a wide range of stakeholders. Ms Pilane-Majake said the Committee is looking forward to the colloquium, as this will provide clarity on many issues.

Ms Pilane-Majake's comments come after Mr Michael Masutha, Minister of Justice and Correctional Services, told the Committee in his political overview that he had noted comments made by the Chief Justice of the country regarding the independence of the judiciary and the status the Office of the Chief Justice should enjoy.

Minister Masutha explained that the Constitution did not provide for the Chief Justice to assume executive authority. Chapter 8 of the Constitution did not bestow such obligations on the judiciary. He emphasised that the Office of the Chief Justice was different from the Office of the Auditor-General, a Chapter 9 institution and one which the Constitution expressly states that institutions supporting democracy are accountable to. Furthermore, they must report to the National Assembly at least once a year. He expressed doubt about whether the judiciary reporting to Parliament in that fashion was desirable or practical.

The Select Committee on Trade and International Relations

has emphasised the importance of government and state entities to prioritise local procurement and beneficiation at special economic zones. The Chairperson of the Committee, Mr Eddie Makue, said this was critical in getting South Africans employed with improved skills. "The option to import should be the last resort and should be informed by absence of a commodity in the country. This is the only way South Africa is going to improve

its manufacturing capability, and in essence improve on job creation ideals," Mr Makue said.

The Committee, together with the Select Committee on Economic Development, visited projects in the Coega Industrial Development Zone situated at the Ngqura Port in the Eastern Cape. The Committees undertook a week-long oversight visit to the Nelson Mandela Bay Metro. Mr Makue said the Committees were impressed with what they found in Coega, but a lot more needed to be done in order to maximise the economic impact of the project. He encouraged management at Coega to align targets on employment creation with the objectives of the NDP.

The Chairperson of the Portfolio Committee on International Relations, Mr Siphoswe Masango, condemned the killing of students at Kenyan University Garissa. Mr Masango said the killings were an attack on the African Union's vision of a stable continent, free of wars, terrorism and destabilisation, and on the vision for Africa as contained in Agenda 2063.

"This is not the Africa we want and it disregards the gains achieved through blood, sweat and years of struggle," he said. "The frequency of these attacks is concerning, but even more concerning is the civilian deaths, and their catastrophic impact on the economy. The African Union should devise a strategy on how best to deal with insurgency on the continent," he said.

Al-Shabaab has claimed responsibility for the attacks. The organisation claimed revenge for the support offered by the Kenyan troops

on the ongoing unrest in nearby Somalia. In 2013, 67 East Africans were killed when gunmen shot at people at Nairobi's Westgate Mall. The Chairperson called for religious tolerance, especially in East and West Africa where both Islam and Christianity enjoy prominence. "Our priority should be to make Africa a habitable place in the global village and a home to all people," said Mr Masango.

The Portfolio Committee on Sport and Recreation paid tribute to the late soccer legend, Mr John "Shoes" Moshoeu. Mr Moshoeu, a former Giant Blackpool, Kaizer Chiefs and Bafana Bafana player, was a footballer in a league of his own – his dribbling virtuosity earned him the nickname "Shoes". An attacking midfielder, Shoes was a marvel to behold as he hypnotised his opponents with his nifty footwork. His meticulous passing of the ball was always bang on target.

Shoes will also always be remembered for being part of the Bafana Bafana squad that won the 1996 Africa Cup of Nations. He commanded visible and decisive authority in the middle of the field in the Bafana Bafana Class of 1996. During the tournament, he netted four goals. Such was his phenomenal talent that he also played overseas. Undoubtedly, Shoes is one of the greatest soccer legends South Africa has ever produced.

The Committee extends its heartfelt condolences to the Moshoeu family, his loved ones, his legion of fans and the football fraternity. The Committee wishes the Moshoeu family strength and courage at this time and would like the family to know that the

nation is mourning with them.

The Portfolio Committee on Mineral Resources is dismayed by reports that Implats, the largest platinum mining company in the country, is retrenching 474 employees.

"We believe that this move is digressing from the government's efforts to create jobs and fight poverty and inequality. Although we understand that the company has been contemplating restructuring since 2013, we do not agree that retrenchment could be the only solution," said Mr Sahlulele Luzipo, Chairperson of the Portfolio Committee on Mineral Resources.

Implats announced that following its restructuring plan, which was met with wide criticism from various stakeholders within the mining sector since 2013, it could only find permanent positions for 774 employees out of 1248 who were initially targeted for retrenchment.

Mr Luzipo repeated a call to Implats management to further engage with stakeholders in the sector, including the Committee, to work out a plan on how the Committee can assist to avert this occurrence. It is also unfortunate that this move comes soon after Workers' Day, at a time when workers around the country should unite and celebrate.

Recently, the country has experienced sporadic xenophobic attacks on foreign nationals, which apart from being acts of criminality, are also linked to unemployment and social inequalities, the Committee said. It is against this backdrop that the Committee will discourage any company in the mining sector from retrenching its employees. 🙄

Minimum wage must be a living wage, say workers

Poorly *paid farmworkers in Mpumalanga have appealed to the Portfolio Committee on Labour that the next battle, after the national minimum wage, should be to improve working and living conditions on the farms, writes Sakhile Mokoena.*

During the last leg of the public hearings on the national minimum wage, the majority of the workers from local sugarcane and citrus plantations in Mpumalanga's Nkomazi region proposed a minimum amount of R5 000 as a living wage.

Ms Zodwa Hlongwane, a mother of three, told the Committee that her R1 960 salary was too little to take care of her family. "From my little salary, my employer still deducts R210 rent for the one room that I share with my partner and our children. I propose R5 000 for all farm workers as a minimum wage," she said.

When opening the meeting at KaMhlushwa Community Hall, near Malalane, Committee Chairperson Ms Lumka Yengeni urged the workers to strictly speak to the minimum wage, but for them it was an opportunity not to be missed. "Please tell us about the wages that you think equals the type of work that you do, and any other complaints can be submitted in writing to the Committee," Ms Yengeni said.

After tabling their proposed

minimum wage, the workers also named and shamed their employers for bad working conditions, low salaries and long shifts. Mr James Mdluli, who said he was employed by giant sugar manufacturer Transvaal Suiker Beperk in Malalane in Mpumalanga as a casual worker to do panel beating and spray painting, said his wages did not match his skills.

"I only get R3 000, same as other general labourers, even though I have a special skill and I don't think that is fair," he said.

Mr Tototo Dlamini started working for Golden Frontier Citrus (GFC) in 1970, earning 50 cents a day or R9 in three weeks, and he still earns far below the R5 000 that he is asking the Portfolio Committee to advocate for.

"I also propose that the minimum wage be set at R5 000 a month for us farm workers to enable us to take our kids to school and also afford the other demands of everyday living," said Mr Dlamini.

Mr Noel Dumisani Lubisi, a security guard at GFC farms, said he only gets paid R2 200 a month and works 12 hours a day.

Other complaints included employers refusing to provide protective clothing for workers handling the dangerous chemicals that are used on the plantations, no compensation for injuries on duty, and no sick leave.

"Medical certificates are not accepted in most of the farms in this area. If you get sick, it is considered to be unpaid leave. If you report for duty to report that, they force you to work," said another worker, Mr Siphwe Methule.

Mr Dumisani Madonsela, a tractor driver from Umbhaha Farms, one of the biggest banana producers in the Lowveld region of Mpumalanga, told the Portfolio Committee that he would be happy if the minimum wage could be set at R5 700. Domestic worker Ms Amina Ngomane said some were paid R600 and suggested it be increased to at least R1 500.

The Chairperson said: "All these views that you are expressing are going to be included with those from other provinces, and out of that we will come up with suggestions responding to the challenges. We also promise to come and visit these farms to investigate the working and living conditions that we have heard about here today. It is part of our work. We will also talk to the Department of Labour to join in. We need to ensure that the rights of the people are not violated," she said. 🙏

MPs speak out against xenophobia

Last month, Parliament made a decision to send all Members who were not engaged in urgent Committee work to visit xenophobic violence hotspots in a bid to promote a culture of tolerance. In line with President Jacob Zuma's call to MPs to speak out against xenophobia in their constituencies, MPs took to the streets, refugee camps, community meetings and churches to say no to xenophobia, writes **Cedric Mboya**.

From Durban in KwaZulu-Natal to Alexandra in Gauteng, the message is clear – Africans must learn to love each other and there is no justification for Afrophobic unrest which has besmirched the image of South Africa once again.

In uMlazi, African National Congress (ANC) MP Ms Thandi Memela and her party held a meeting on Freedom Day to come up with a programme of action regarding their fight against xenophobia or Afrophobia. In robust and frank discussions, members of the public overwhelmingly condemned xenophobic attacks but expressed their concerns about the issue of illegal immigrants in the country. “We are all Africans. Most of these people are brothers and sisters who helped us in the fight against apartheid. We are saying no to xenophobia and afrophobia. It is a pity that some countries are recalling their ambassadors and sending ours back. We need each other all the time. Ubuntu is our backbone.”

Some uMlazi residents said they did not hate foreign nationals but the government had the duty to deport all illegal immigrants. They complained about foreign nationals being used as cheap labour by companies and individual employers. Local residents attending the meeting unambiguously stated their disapproval of those who unleash violence on foreign nationals. They also called on South Africans to

stop using derogatory names when referring to foreign nationals. They warned against stereotypical thinking when dealing with foreign nationals.

Also present at this public meeting was eThekweni Metropolitan Municipality Deputy Mayor, Ms Nomvuzo Shabalala, who strongly condemned xenophobia. “We are one Africa. They are not foreigners, they are fellow Africans. They are not Europeans. South Africa is not an island,” said Ms Shabalala.

Mr Bheki Xakaza, who chaired the meeting, labelled the xenophobic attacks as “barbaric and uncivilised” – perpetrated by criminal elements. “We are against xenophobia and Afrophobia. There is now a backlash – our government is suffering as other African countries are acting against us. We as leaders have a responsibility to embark on an education campaign to teach our people about tolerance and speak out against xenophobia,” said Mr Xakaza.

The meeting resolved that they would use schools, churches and other platforms in their anti-xenophobia crusade.

Refugee camp

Economic Freedom Fighters MPs Mr Julius Malema and Mr Mbuyiseni Ndlozi visited a refugee camp in Chatsworth to make a donation and speak to foreign nationals. In his opening address, Mr Ndlozi explained that Parliament



had given MPs some time to deal with the issue of xenophobia in their constituencies. Foreign nationals were given an opportunity to have their say. Many of those who spoke said South Africa had become their home because they came from countries such as Burundi, and were therefore unwilling to return to their own countries. Some spoke of their trauma as a result of xenophobic violence. “We need help and acceptance,” pleaded a woman from Burundi.

Mr Malema assured them that they were welcome in the country. “South Africa is yours as well. You don’t have to be treated like animals.” He added: “Don’t hate all of us as South Africans. We are not like those criminals who chased you out. There are those who are saying you are stealing jobs but there are no jobs in South Africa.” Mr Malema said they would raise the concerns of foreign nationals in the National Assembly.



TOLERANCE AND COMPASSION IS NEEDED: Refugees at a centre in Chatsworth, KwaZulu-Natal.

Church

Inkatha Freedom Party members Mr Mkhuleko Hlengwa and Mr Mntomuhle Khawula sought divine intervention in their fight against xenophobia. A prayer session was held for them by the United Congregational Church of Southern Africa in KwaZulu-Natal. The church has made it part of its programme to pray for tolerance and an end to xenophobic unrest. "The word of God says we must respect and take care of our visitors," said the church's president in KwaZulu-Natal, Ms Zandile Duma.

The hour-long prayer session was a high-spirited affair as congregants, clad in white uniforms, invoked God in song and prayer to help the country defeat the demon of xenophobia and Afrophobia. Church speakers said the beating and killing of foreign nationals was a disgrace to the nation renowned for loving peace.

Mr Hlengwa took to the podium to preach the gospel of tolerance. "Let us

love one another. All of us are foreigners somewhere. It is all right to have a neighbour from Africa. Xenophobic violence is compromising our image as a country. Let us stand together and say no to xenophobia. Criticising is not enough, let us educate our fellow South Africans about tolerance," said Mr Hlengwa.

Alexandra

The brutal killing of a Mozambican in this township, which was captured on the front page of a Sunday newspaper, has left a number of foreign nationals fearing for their lives. A vendor who used to share a stall with the late Mozambican told *InSession* that they were rudely reminded almost every day that they didn't belong in South Africa. "They (some locals) treat us badly. We are still here because we have no choice. I don't feel safe here anymore. Not all of us foreigners are criminals as they say," said the vendor who also hails from Mozambique.

Democratic Alliance MP Mr Ian Ollis and his party have been in touch with the family of the deceased Mozambican. They contributed money towards his burial. Mr Ollis is working with his colleagues in Alexandra to help put a stop to xenophobia. "My appeal to South Africans is that they should not resort to violence. There is no justification for xenophobic violence," he said.

Mr Ollis said the problem was the government which failed to deal with the issue of porous borders. "Borders are not controlled properly. There are just too many illegal immigrants. If illegal immigrants commit crime there is no way you can trace them. We need to be in control of the influx of foreign nationals," said Mr Ollis. A local Alexandra resident, Mr Sibusiso Mnyandu, said foreign nationals must be properly documented. "As for xenophobic violence, it is totally wrong," he said. 🙏



Violence against foreign nationals must be fought by all

The *President, Mr Jacob Zuma, told Parliament that the fight against violence towards foreign nationals demands the involvement of all peace-loving South Africans and closer collaboration between all role players and government, writes Mava Lukani.*

Mr Zuma appeared before the National Assembly (NA) in a debate on the violence directed at foreign nationals in KwaZulu-Natal, which spread to some parts of Gauteng. He told MPs that the government condemns such violence in the strongest terms. Mr Zuma said the violent attacks against foreign nationals violate all the values that South Africa embodies, especially respect for human rights, human dignity and *ubuntu*.

“Our country stands firmly against all intolerance such as racism, xenophobia, homophobia and sexism,” Mr Zuma said. He added that South Africans are generally not xenophobic. “If we were, we would not have such a high number of foreign nationals who have been successfully integrated into communities all over our country, in towns, cities and villages,” he said. Government departments such as the South African Police Service, Home

Affairs and other departments that are currently at the forefront in the fight against the escalating violence against foreign nationals cannot win the fight alone. That was the message from Mr Zuma, when he addressed members of the NA in Parliament.

Mr Zuma made a particular request to Members of Parliament (MPs) to work closely with the government for the promotion of the culture of peaceful co-existence in communities. “We request MPs to work with us, as well as in their constituencies to improve relations and promote peaceful co-existence between our people and foreign nationals,” he said.

ZERO TOLERANCE: President Jacob Zuma addresses the National Assembly to deliver a message of peaceful coexistence in all communities, no matter what their ethnic origin might be.

He told MPs that, notwithstanding the continuation of violence against foreign nationals, the government is making progress by establishing the Border Management Agency, which will manage the border environment and all ports of entry.

According to Mr Zuma, the government has strategies in place to curb the violence against foreign nationals in KwaZulu-Natal and other parts of the country.

He said the strategies include the deployment of Ministers of Police, State Security and Home Affairs to work with the KwaZulu-Natal Provincial Government to quell the violence and bring peace and harmony among all the people in KwaZulu-Natal. He told the MPs that the strategies are succeeding, although the problem requires a much more comprehensive and sustainable long-term intervention.

He shared his optimism about the impact the 2015 Africa Month celebrations will have on the attitudes of South Africans towards their foreign brothers. "The upcoming Africa Month celebrations in May provide an opportunity for us to further promote our African identity and good relations with our brothers and sisters from the continent. We look forward to the celebrations of Africa Day in every province on 25 May."

As MPs responded to Mr Zuma's statement on xenophobic attacks, they highlighted the damage the violence caused South Africa's reputation and image in the world. They said the violence against foreign nationals has negatively affected the legacy of fellowship with one another and the principle of unity embodied

in the iconic figure of the late Mr Nelson Mandela.

Our humanity is slipping away. Let's strive to avert its erosion, they said. One NA MP after another attributed the violence against foreign nationals to rising unemployment and the growing frustration of those South Africans who are denied access to economic opportunities.

Veteran Inkatha Freedom Party MP Prince Mangosuthu Buthelezi expressed his disappointment at the timing of the release of the executive statement by the President of the Republic of South Africa, which according to him, was late.

"Why are we only hearing about an executive statement on violence in KwaZulu-Natal? Our country's past has taught us that when violence flares up, the response of leaders must be immediate and unequivocal. When the leaders stay silent, people die," said Prince Buthelezi. He attributed the escalation of the violence against foreign nationals to the silence of leaders. "South Africa's leaders are slow to act and that fuels the fire of violence."

Prince Buthelezi told Mr Zuma the failure of his government to deploy members of the South African National Defence Force (SANDF) to hotspots of violence against foreign nationals had negative implications and compromises the authority of the South African peace-keeping missions wherever they are deployed in Africa and anywhere else in the world.

"Indeed how can our peace-keeping missions on this continent have any authority when we refuse to deploy

the SANDF on our own soil, though the lives of people are being lost?" Prince Buthelezi asked.

General Bantu Holomisa of the United Democratic Movement condemned the acts of violence against foreign nationals and added his voice to the condolences to the relatives of those who died in the violence. General Holomisa appealed to the South African government to reclaim its position on the promotion of the African Agenda. He said South Africa was once a champion of the African Agenda, but it has now taken a back seat. "This debate on the violence against foreign nationals must contribute to the stoppage of this inhumanity in the history of our democracy," he said.

General Holomisa suggested an immediate Presidential visit to the Kingdom of the Zulu nation to share with the King the spirit of the NA on the violence against foreign nationals, the deployment of law enforcement agencies and the strengthening of intelligence services. If intelligence services are strong enough, he said, violence against foreign nationals would not have a chance to spread. Furthermore, General Holomisa suggested a comprehensive audit on foreign nationals in South Africa. "This will expose those who are in the country for wrong reasons, like corrupt activities including drug and human trafficking," he said.

MPs urged the government to ensure that labour laws that apply to foreigners are strengthened, as employment opportunities are fiercely contested. MPs also emphasised the importance of education on Africanism, especially for township youths, informal settlements and in the villages to dispel stereotypes. 🌍



Taking Parliament to the People

Bringing all spheres of government together to serve the people

This year's Taking Parliament to the People (TPPTP) programme was predicated on the 20 years of a democratic Parliament, a historical milestone that affords Parliament an opportunity for introspection to ascertain not only how far it has come, but most importantly, how far there is for it to go in fulfilling South Africa's developmental agenda, said the Deputy Chairperson of the National Council of Provinces (NCOP), Mr Raseriti Tau, at its opening ceremony. *Abel Mputing* reports.

"We have gathered here in Oudtshoorn during a very important historical time for our developmental state. We have just surpassed the 20th year of our democratic Parliament, which is a milestone in our historical journey to build a truly democratic and socially unified nation. Although we have travelled a long and difficult road over the past 20 years, we must acknowledge that much more still needs to be done to improve the living conditions of the poor and marginalised."

It is this that forms the background to the South African legislative sector's efforts to realise the National Development Plan (NDP), he said.



“Through the TPTTP programme, we are bringing together all spheres of government, in order to respond decisively to the core elements of the NDP’s 10-point plan. It, therefore, becomes even more important that all organs of state within each sphere cooperate with one another in order to achieve the NDP’s objectives,” he said.

This year’s programme was held at Bridgton Sports Grounds in Oudtshoorn. The Whip of the NCOP Eastern Cape delegation, Mr Mandla Rayi, said the NCOP chose the Eden District because it is one of the regions in the Western Cape in which services delivery is not as good as

WE ARE HERE TO SERVE: (top) The House Chairperson: International Relations and Members’ Support Ms Makefako Dikgale (second from left) leads a delegation to visit the Tsiba College Vegetable Garden; (inset) A resident of the Vermont Old Age Home.

it should be. “Before we decided to come here, we had pre-visits to understand the magnitude of the lack of service delivery in this region. As a result of that, we have identified water, sanitation, health and schooling as problems in the Eden

District. Hence, we decided to have this year’s TPTTP here.”

Visits to areas needing immediate attention were part of the programme. “The site visits concentrate on critical projects in this



MEETING THE PEOPLE: (from top) Ms Masefako Dikgale and other members of the NCOP meet residents at the Vermont Old Age Home; NCOP MPs visited the Alabama Creche in Zoar; the Taking Parliament to the People delegation received a warm welcome from Eden District community members.

region that are the backbones of the Eden District communities. These are projects that often need urgent assistance or that need to be given special attention because of the nature of their contribution to the livelihood and the social fibre of these communities," Mr Rayi said.



This year's closing event was addressed by Deputy President Mr Cyril Ramaphosa, who proclaimed that the TPTTP programme is "democracy at work". He went on to liken the participatory approach of this programme with the Congress of the People in Kliptown in 1955 that led to the drafting of the Freedom Charter, which ultimately inspired South Africa's democratic Constitution. "As we meet here in Oudtshoorn, we are reminded of this call to convene a Congress of the People to draft a Charter of Freedom. I say so because this programme of TPTTP reminds us of the campaign that led up to the adoption of the Freedom Charter," he said.

"This campaign culminated in a meeting of elected representatives of all races, coming together from every town and village, every farm and factory, every mine and kraal, every street and suburb, in the whole land. The same could be said of this special session of the NCOP because it has afforded our citizens an opportunity to speak of the good things and bad conditions . . . of laws, government and rights . . . of our people," Mr Ramaphosa said.



According to the Chairperson of the NCOP, Ms Thandi Modise, what is most significant about TPTTP is that it gives ordinary citizens an opportunity to engage their elected public representatives on issues affecting them. "As Parliament, we are driven by the ideal of ensuring a better

life for all South Africans. Since the inception of this project in 2002, we are using it as a vehicle to reach our people and to listen to their plight and to give them an opportunity to make their voices heard."

A long list of concerns emerged during the week-long public hearings at TPTTP, Ms Modise said. "Among other things is poor service delivery by municipalities, infrastructure decay as some schools and clinics need refurbishment, shortages of ambulances at clinics and increasing crime rate and the need for visible policing in the district."

A concern that was raised repeatedly during the public hearings was allegations of racial discrimination and the partisan nature of service delivery in the district. Ms Modise proclaimed that in the light of

the allegations of neglect in the communities there is need to pay special attention to social cohesion in the district. "We need to pay special attention to social cohesion in the area. It is clear that the government's agenda of achieving social cohesion through integrated development practices may be compromised if oversight and monitoring of local government performance is not enhanced and strengthened."

Above all, she also recognised that the NCOP must ensure that the views expressed in these public hearings find expression in NCOP's legislative processes and lead to the adoption of resolutions aimed at addressing them. "We will coordinate follow-up activities on these matters. However, it is important that the provincial legislature and the municipal councils play their oversight part in responding

to the issues that were raised."

The new electronic system for participants to make submissions was unveiled in this year's TPTTP will play a critical role in this regard. This device, which was conceived by Parliament's mobilisation and ICT units, gave the public the opportunity to submit electronically any problem involving the national, provincial or local spheres of government. The system also allows the NCOP to capture information regarding the employment status, race, income bracket and age group of submitters. This enriches the value of the data gathered as it makes it possible to identify service delivery trends in specific districts, among other things. The impact of this system will be evaluated and monitored to assess its effect on the legislative and oversight mandates of the NCOP. 🌟

DEMOCRACY AT WORK: Kannaland residents gather for public hearings on police and justice in Calitzdorp.





BRINGING PARLIAMENT TO THE PEOPLE: Deputy President Mr Cyril Ramaphosa addresses the closing plenary of the programme in Oudtshoorn.

Let us speak of freedom

This *is an edited extract from the address by Deputy President Mr Cyril Ramaphosa at the closing plenary of the National Council of Provinces' (NCOPs') Taking Parliament to the People programme in Oudtshoorn.*

It is an honour to join you in this special session of the NCOP among the people of our country. This is democracy at work. This is what we envisaged when we crafted the Constitution. Sixty years ago, a call went out to the people of this country. The call was made at a time when our country was deeply divided along racial lines. A call was made that said: "Let us speak of freedom. Let us speak of the wide land, and the narrow strips on which we toil. Let us speak of the good things we make, and the bad conditions of our work. Let us speak of the light that comes with learning, and the ways we

are kept in darkness. Let us speak of laws, and government, and rights. Let us speak together of freedom."

As we meet here in Oudtshoorn we are reminded of this call to convene a Congress of the People to draft a Charter of Freedom. I say so because this programme of Taking Parliament to the People reminds us of the campaign that led up to the adoption of the Freedom Charter. Circulars went out to townships and villages all across the country. People were asked how they would set about seeking a good life for themselves and their children. They

were asked to imagine a South Africa of the future. Local, regional and provincial Congresses of the People were held across the country.

This campaign culminated in, as former President Nelson Mandela recalls in *A Long Walk to Freedom*, "a meeting of elected representatives of all races, coming together from every town and village, every farm and factory, every mine and kraal, every street and suburb, in the whole land". The same could be said of this special session of the NCOP. It is special because it is being held with and among the people.

As public representatives, we are nothing without the people whose needs and interests we seek to advance through our public service. You have made us what we are. Here,

as in Kliptown in 1955, “all will speak together, freely, as equals”. Today, many of the demands of the people recorded in the Freedom Charter have been realised. Most important among those is the assertion that the people shall govern, and that “no government can justly claim authority unless it is based on the will of all the people”.

Since 1994, we have remade our country. We have refashioned the institutions of the state, ensuring that the views of our people are heard, understood and effectively represented. Our democracy is anchored to the understanding that the state is an instrument through which the people of our country may pursue their shared vision.

We want every South African to be an active participant in our democratic dispensation. We want to create a nation of citizens that care for each other, respect one another and share a deep love for their country. We want a nation that understands its past, celebrates its present and enthusiastically and actively builds its future.

Parliament is central to this effort. Not only does it represent the wishes of the people, but it has the responsibility to involve the people in making the decisions that will affect their lives. After 20 years of democracy, a great deal has been achieved in addressing the needs of the poor and laying a foundation for greater growth and prosperity. As we have heard this week, there is much more that needs to be done. Too few people have work. Too many people live in poverty. Inequality is stark. Our education system is not producing the outcomes required to address the challenges of a modern economy. Many public services are falling short of what people expect and need. Unless we move with urgency

and determination to address these issues, we will struggle to realise the vision of the Freedom Charter.

In many respects, the National Development Plan (NDP) is a response to these challenges. The NDP provides a framework for the actions we need to take over the next 15 years to eliminate poverty and reduce inequality, to create work and opportunities for all. The implementation of the NDP has begun. In his State of the Nation Address in February, President Jacob Zuma identified nine priority actions to advance inclusive economic growth. Key among these is the revitalisation of South African industry.

Another priority action is the revitalisation of agriculture and agro-processing. This would have a significant impact in a region like this, where there is both great potential and great need. But we need to ensure that people have access to land, we need to provide them with opportunities to acquire skills and experience, and we need to resolve the antagonistic relationships that are prevalent in many of our farming areas.

What has become clear from the interactions of the last few days is that we need to improve the provision of services to communities. We need better planning and coordination across departments and between spheres of government. We need better, more efficient, more responsive local government. We need to embrace the Back to Basics programme, which aims to restore the country’s struggling municipalities to health.

If there is one thing that has emerged from the interactions of the last few days, it is that the people of this country are not prepared to be passive recipients of government generosity. They want to be involved

and engaged and consulted. They are asking government to enable them, to empower them and to support them. They want to improve their own lives.

The Freedom Charter says that there shall be peace and friendship. It envisages a South Africa at peace with the nations of the world, in which the rights and freedoms of all the people who live in this country are protected. The attacks on foreign nationals that have taken place in parts of our country are an affront to these aspirations. As President Jacob Zuma said, these attacks are a violation not only of the rights of the individuals affected, but also of the values and principles that define our democracy. We must condemn such behaviour without hesitation. We must act decisively to end such violence and work to ensure that it does not happen again. Those who perpetrate such violence and looting must face the full might of the law.

At the same time, we must engage with the communities in which these crimes are taking place. Where there are concerns, we must address them. Where there is conflict, we must find peaceful solutions.

Let me once again commend the NCOP for Taking Parliament to the People. For the people are the government. We are their servants. I hope that a year from now, as a result of this week’s activities, we will be able to see improvement in the lives of the people we have visited. We are here not just to meet and greet, but to achieve better communities and a better country. Allow me to conclude with the words of the late Guinean President, Ahmed Sekou Toure, when he said: “To take part in the African revolution it is not enough to write a revolutionary song: you must fashion the revolution with the people. And if you fashion it with the people, the songs will come by themselves.” 🌍

Community radio, broadcasting to all South Africans

After 1994, it was realised that the media had enormous potential to deepen democracy and ensure freedom of expression and access to information for all South Africans. But soon people came to realise that the task cannot only be entrusted to the mainstream media, because it cannot serve the interests of the general public, particularly those who are illiterate. Thus attention turned to community radio, writes Abel Mputing.

To ensure that every voice counts, irrespective of status, culture or level of education, the idea of a community media was considered as a means to diversify the media landscape and to widen the principle of freedom of expression and access to information even further. As a result, in 2003 the Media Development and Diversity Agency (MDDA) was established as a statutory body aimed at promoting and supporting media development and diversity in South Africa. This was a critical intervention aimed at rekindling the diversification of views and the development of media as one of the cornerstones of our democratic dispensation. Since its inception, the MDDA has embraced the concept of community radio stations to leverage its mandate and today it is one of its flagship platforms.

“The broadcasting landscape has had to undergo serious transformation for it to become adaptable to the needs of communities and enable government to interact directly with communities. Such interactions between government and communities facilitated by community radio stations contribute directly to the democratic processes of the country. The African National Congress (ANC) resolutions over the decades have been consistent on the fact that community broadcasting and

media in general are fundamental in cementing broad participation of our citizens. The MDDA has proved to be the major role player in this regard,” said the Chairperson of the Portfolio Committee on Communications, Ms Joyce Moloi-Moropa.

The concept of community radio station has come a long way. This year marks 22 years since the first community radio station was licensed in South Africa, and to date there are over 210 community radio stations, which reach an average of 8 682 million listeners weekly.

The scope of community radio’s actual and potential impact is wide-ranging. The Department of Communications and MDDA representatives brought first-hand accounts of community radio’s effectiveness and successes and challenges. The nature and scope of MDDA’s support varies, but includes operational and developmental support. “With a limited budget of just more than R276m cumulatively since 2004, the MDDA has supported more than 570 media projects throughout the length and breadth of South Africa. This support has resulted in the creation of 721 jobs, 2 021 practitioners have been trained and more than 247 bursaries have been awarded,” said the Acting Chief Executive Officer of MDDA, Ms Duduzile Nchoba.

One of community radio’s major achievements is increased media access in indigenous languages. “The department has a noble intention and ambition ... to encourage and promote nation-building and social cohesion; to support democratic participation and responsible freedom of expression; and to reflect South Africa’s language and cultural diversity,” said the Acting Director-General of the Department of Communications, Mr Donald Liphoko.

Much effort has also gone into upgrading the expertise of practitioners in this sector to upscale the value of their content and programmes.

“During 2012, we ring-fenced 40 rural-based stations for guided capacity-building programmes in content production through the Ikamva National e-skills Institute to improve their programming offerings. These programmes have impacted valuable creative writing skills to these practitioners who produced dramas and documentaries that were syndicated to participating stations,” said the Chief Director of Broadcasting at the Department of Communications, Mr Dimakatso Mashile.

One of the issues that held back the progress of this sector is that it was fragmented and there was no well-coordinated or institutionalised synergy among its stakeholders. The Department of Communications and MDDA are currently engaged in an international benchmarking exercise to institute synergy among various role players and stakeholders in the communication portfolio to create



REACHING EACH AND EVERY SOUTH AFRICAN: Community radio has the potential to reach people living in remote areas who do not have access to information from other media forms, such as newspapers or internet service.

an enabling environment for the development and sustainability of community radio stations.

A key aim for the sector is to remain relevant to the interests of the communities they serve. "If this sector's content is to be relevant to the geographic interests of its communities, community radio stations in the North West province would have documentaries on the political history of Moses Kotane and JB Marks, why they had been buried in heroes' acre in Russia, and the symbolism of such an honour," said Chief Director of Broadcasting at the Department of Communications, Mr Dimakatso Mashile.

To this end, the MDDA has initiated a literacy programme to educate communities about how they can hold these stations accountable. "Public expectations of good governance within the community media sector have risen. Much of it concerns professionalism and financial stability. Governance issues have often deprived stations of adequate strategic direction and have weakened their relevance, responsiveness, legitimacy and

credibility to the communities they are supposed to serve," said the Acting Project Director at MDDA, Mr Lindinkosi Ndibongo.

Lack of accountability and responsiveness in this sector is complicated further by the pervasive non-compliance with the rules and regulations that govern it. This has led to the call for the review of community media governance framework to strengthen the capacity of the stations' governing bodies to guide and monitor the work of stations to ensure that they are accountable and responsive to the communities' needs.

"This is an ongoing discussion between the Committee and the department as to how we can ensure that governance becomes the proxy for the sustainability of community broadcasters. The Committee continues to engage with all relevant stakeholders on this. More importantly, the Committee is bombarded with correspondence from various community radio stations and all these complaints relate to problems at governance level. In fact, the Committee is in the process of

hosting public hearings to address this challenge," said Ms Moloi-Moropa. Funding is also an issue in the sector and the Department of Communications has outlined funding strategies to ensure sustainability. "We have proposed that this sector should be funded through parliamentary appropriation, grants and donations. The department also tries to mobilise international donor funding," Mr Liphoko said.

Linked to this is an effort to get the government to commit 30% of its ad spend to community radio stations. To this effect, the department is talking to the Government Communication and Information System to facilitate the revival of this commitment because government ad spend is key to the survival of this sector.

"Having regulatory instruments to enforce, that is a good start, but we should all worry if there is non-compliance. Clearly, there must be a greater emphasis on ensuring compliance as this is a fundamental challenge that threatens the future sustainability of this sector," Ms Moloi-Moropa said. 🌐



Cooperation will help with service delivery

When *municipalities experience extreme difficulties in service delivery and administration, the provincial level of government is called upon by the National Council of Provinces (NCOP) to help out. Temba Gubula looks at three examples.*

“Some municipalities tend to focus more on politicking and bickering than their constitutional obligation of rendering quality services to our people. This needs to stop. We need to be selfless for a change and work together for the advancement of our people’s needs,” said the Chairperson of the Select Committee on Cooperative Governance and Traditional Affairs, Mr Jihad Mohapi.

Mr Mohapi accompanied the Committee on a visit to three ailing municipalities in the North West province that sought to discover whether communities would benefit from allowing provincial interventions

into the Madibeng, Ngaka Modiri Molema and Matlosana municipalities and then advise the National Council of Provinces (NCOP) on its findings.

In March this year, the Provincial Executive Council wrote to the NCOP requesting approval to invoke provincial intervention in terms of Section 139 (1) (b) of the Constitution of RSA as a way to aid these municipalities. “Our visit to these municipalities is as a result of a request the NCOP received from the North West MEC for Local Government and Human Settlements in March this year, where he asked for permission to invoke Section 139 (1) (b)

of the Constitution against these three municipalities,” Mr Mohapi said.

The rules of the NCOP dictate that upon receipt of such a request, the Chairperson of the NCOP refers the request to the Select Committee, which is then obliged to visit the affected municipalities to solicit inputs from all role players with the intention of helping the NCOP make an informed decision about the request.

Explaining the rationale for the intervention, MEC for Local Government and Human Settlements, Mr Collin Maine, said the inability of the Madibeng Local Municipality and Ngaka Modiri Molema District Municipality to deliver water and sanitation to communities and the financial management challenges in Matlosana Local Municipality prompted the provincial government in March



BRINGING SERVICES TO THE PEOPLE: Members of the Select Committee on Cooperative Governance and Traditional Affairs visit a water treatment plant in North-West province.

problems – such as filling of posts, financial recovery, quality service delivery, labour matters and public participation – persisted.

These challenges, according to the Acting Municipal Manager at Ngaka Modiri Molema Municipality, included the increase of staff from 251 in 2011 to 743 in March 2015, leading to a R240m budget allocation for personnel alone in the 2014/15 financial year. The municipality also dealt with a lot of litigation cases, resulting from its inability to honour its credit obligations, costing it R22m.

Regarding the Madibeng Local Municipality, MEC Maine told the Committee the municipality also experienced serious water and sanitation problems for a number of years and this led to a number of violent service delivery protests over the years. “The most challenged areas have been in Majakaneng, Oukasie, Jericho, Klipgat, Madidi and Letlhabile. Even areas such as Hartebeespoort dam have experienced serious water quality issues, such as high levels of algae. He said, as part of the intervention, a joint operations centre has been established at Madibeng Disaster Management Centre to coordinate and respond to complaints from the public.

Mr Monde Juta, the Municipal Manager of Madibeng Municipality, told the Select Committee on Cooperative Governance and Traditional Affairs that water demand in Madibeng exceeded supply. For example, the Brits Treatment Water Plant has a capacity to supply 60 megalitres of water per day whereas the demand is 80 megalitres. He added that this demand would sometimes rise to 108 megalitres during peak periods, making it difficult for the municipality to provide all residents with water. However, there are plans to expand the capacity of the Brits Water Treatment plant to 80 megalitres by 2018.

Matlosana Municipality has been struggling to manage its finances and is unable to pay creditors, collect debt, fill critical posts and has poor internal controls and supply chain management processes. These led to tender irregularities which in turn saw the municipality receiving disclaimer audit opinions in the 2012/13 financial year.

Supporting the need for the intervention, Mr Seth Ramagaga, an administrator at Matlosana Municipality, said he has seen how helpful interventions can be. He said it was through a provincial intervention that Matlosana improved its precarious financial position from a disclaimer in 2012/13 to a qualified audit opinion in 2013/14. The municipality has also managed to reduce exorbitant overtime claims and have also put plans in place for debt repayment.

The municipality owed Eskom and Midvaal Water Company R200m and R50m respectively. But Mr Ramagaga told the Committee that this picture would soon change as the municipality has started making weekly payments to these creditors. It was still struggling to collect debt of R1.1bn from households and other debtors. Supply chain management and poor internal controls also remained a challenge.

Committee members said interactions with organised labour, political parties, ward committees, businesses among others were proof that parties are willing to play their part in ensuring the improvement of these municipalities.

Committee members urged these municipalities to develop clear communication and public participation strategies to improve public involvement in municipal affairs. The Committee also advised these municipalities to put in place plans for revenue enhancement, debt collection and credit repayment. 🌱

this year to move for the invocation of Section 139 (1) (b) to ensure stability in these municipalities.

The Ngaka Modiri Molema District Municipality experienced serious water and sanitation delivery challenges, which resulted in violent community protests in the areas of Ramotshere Moiloa, Mahikeng, Tswaing and Ditsobotla local municipalities.

MEC Maine said invoking Section 139 (1) (b) meant that the provincial government, in partnership with the Department of Water and Sanitation, assumed control and responsibility of providing water services to the community of Ngaka Modiri Molema district. He said the municipality had a range of service delivery challenges that existed prior the intervention, which included shortage of water and sanitation, water leakages, water tankering (bringing water to the community in tanks) and lack of community engagement. Despite relative stability in the municipality on the side of council, the MEC agreed with Committee members that administration

Villagers optimistic about their future

The history of development of people through different economic systems over time is a source of optimism for the people who live in our country's villages and who rely on government grants for survival. That was what Member of Parliament Ms Nocollege Majeke of the United Democratic Movement told women who are engaged in forming vegetable and chicken cooperatives to push back the frontiers of poverty in the impoverished villages of the Mhlontlo Local Municipality. *Mava Lukani reports.*



"Although arable land is still in the hands of a few wealthy people, there is land which our ancestors successfully used to defend their children against poverty and for their low-scale trading among themselves. It is ironical and unbelievable that people are the victims of poverty on the same land that has the history of feeding people and livestock," said Ms Majeke. She told the women of Mhlontlo Local Municipality's Ward 2 in Matyeka village about the danger of the reliance of people in the villages on government grants, ignoring the wealth which is in the land that has been passed on to them by their forebears.

In the April constituency period, Ms Majeke, whose constituency includes the villages of Mhlontlo Local Municipality, devoted her constituency time to visiting all the chicken and vegetable cooperatives set up by women and young people that exist in her constituency to assess their performance. According to Ms Majeke, she played a role in the formation of some of the cooperatives in the Mhlontlo villages. "As someone who

was raised by an extended peasant family, I have faith in a committed group of people that has a clear vision and based on that, I have not limited my role only to the formation of new cooperatives, but I am also playing a role in the revival of those that have been existing but are dying," said Ms Majeke.

Although Ms Majeke wanted to visit all the cooperatives, due to time limitations, she prioritised the new ones and those that she played a role in forming. Sharing the genesis of the new cooperatives with *InSession*, Ms Majeke said when she became an MP after the 2014 general elections and was allocated the villages of Mhlontlo Local Municipality as her constituency, she revived the call of the South African government of Vuk'uzenzele as one of the strategies to use to fold the heavy blanket of impoverishment and poverty that covers the Mhlontlo villages.

"I told the people in my constituency right from the beginning that I am the eyes and ears of Parliament, deployed by the United Democratic

Movement in their villages and I am not carrying gold and silver on a platter to fight their poverty. I told them that I would be available to assist people who are awake and who are prepared to join hands to turn the tide of impoverishment in their villages and make their villages vibrant communities and places of hope as they were when they were in the hands of our forebears," said Ms Majeke. She said she was fortunate that women listened to her call and formed vegetable and chicken cooperatives.

According to Ms Majeke, the first vegetable and chicken cooperative she was involved in forming was Laphumilanga Chicken and Vegetable Cooperative in Matyeka village. She said Laphumilanga was formed by a group of 30 women who came together and formed Laphumilanga Chicken and Vegetable Cooperative at the beginning of December 2014. In explaining the humble beginnings of the cooperative, Ms Nolindile Zikolo, who is its chairperson, said the cooperative was formed by committed and visionary women.



CAPTION: XXXXX XXX XXXXX XX X XXXXX XXXX

LIFE THROUGH GROWTH: Ms Nocollege Majeke (fifth from left) with members of the Laphumilanga Chicken and Vegetable Cooperative.

She said one of those women, Ms Yoliswa Komani, made her garden available to the group for the purpose of growing vegetables. Asked by *InSession* about her aims for the cooperative, Ms Komani said the formation of the cooperative has been her dream all along as she is also a child of an extended peasant family. "I was raised and formed by the crops that were grown from this garden. It is a garden and like other gardens in this village that have a remarkable history, giving life to people, some of whom are now retired professionals," said Ms Komani. She said she was certain about the sustainability of the cooperative as long as it can be properly managed.

According to Ms Nolindile Zikolo, the new cooperative, which started with 400 plants of spinach, 400 plants of cabbage and 100 chickens has already delivered its first harvest. She said out of the 100 chickens that the cooperative bought, 92 flourished and were sold at a market price of R42 each. "Although the cooperative is still at an infancy

stage, it has produced the first fruits and we are encouraged by that," said Ms Zikolo.

Ms Majeke expressed her gratitude to the leadership of the cooperative. "I am delighted by the progress you are making in this cooperative and optimistic that you are going to achieve more in your next harvest. You must tighten your belts. Don't pay yourselves. Ensure that you reinvest your harvest in the cooperative until it is fully developed to a level where it will become the employer in the village," said Ms Majeke. She said members of the cooperative should remember the way their forebears dealt with the first production of the new field. "They ensured that the bigger part of the first harvest of a new field was sown back in the field until the field doubled its production in the next harvest," said Ms Majeke.

Ms Majeke appealed to members of the cooperative to open membership of the cooperative and resist the temptation of limiting membership to the current members and their

relatives only. "The future of the cooperative and its sustainability depends on innovative new ideas and that will happen when you open its membership. Embrace new members, especially the historically marginalised women," said Ms Majeke.

Ms Majeke also visited the Thembisa sewing and brick-making cooperative, which has been operating near Qumbu for the past five years. The cooperative, according to its leader Mr Andile Matafeni, was formed in 2009 by young people with disabilities. "This cooperative was formed for sewing and brick making by young people from the OR Tambo District Municipality who are intellectually impaired as am I," said Mr Matafeni. He said the cooperative is unable to grow due to the fact that it lacks resources such as modern sewing machines. "When Ms Majeke visited us we explained our plight to her and she promised to support us," said Mr Matafeni. He said he was optimistic about the future of their cooperative as long as Ms Majeke supports them. 🙏

South African Police Service: Risking their lives to protect ours

In this interview with the Chairperson of the Portfolio Committee on Police, Mr Francois Beukman, Temba Gubula asked him for his views on a variety of policing issues, including service delivery protests, leadership issues within crime-fighting agencies and gun control among other things.



The country has seen a number of violent protests in the recent past. How will the Committee ensure that the South African Police Service (SAPS) is enabled to contain these protests while ensuring protection of life and property?

The Committee has engaged with the SAPS on various platforms to establish assurances that the SAPS is able to contain public protests. A special hearing on the capability and challenges facing Public Order Policing Units was held in 2014. The Committee recently conducted an oversight visit to the Hazyview Public Order Policing Unit to gain ground-level insight into the challenges faced by these units. Although the public order policing environment faces several challenges, it can and will be addressed.

The Committee had a follow-up meeting with the SAPS on the findings made during its oversight visit in which assurances were given that the environment is prioritised. During the recently concluded budget hearings on the 2015/16 allocations, the Committee focused on the capacitation and training of the public order policing environment.

The Committee will monitor the budgetary allocations as well as the interventions planned by the SAPS to ensure its continued ability to successfully address public unrest while balancing the protection of life and property.

The Committee also had a hearing with the Council for Scientific and Industrial Research (CSIR) to address the technological and equipment needs of the SAPS within the public order policing environment.

The recent leadership strife involving the crime-fighting agencies – the Directorate for Priority Crime Investigation (Hawks) and Independent Police Investigative Directorate (IPID) – cannot be good for the fight against crime. How will the Committee ensure that these squabbles do not stifle the service these entities ought to offer to the citizens of this country?

The Committee has already had several engagements with the SAPS, as well as the executive authority of the police, on the importance of the leadership stability of the Hawks

and the IPID. The Committee is satisfied that the acting heads of both directorates are well-qualified and equipped to lead in the interim until permanent heads are appointed by the Minister of Police. Both appointments must be tabled before Parliament. The Committee is continuously overseeing the developments in these environments and has requested quarterly progress reports on the progress made in terms of the finalisation of the various disciplinary processes currently under way.

A number of South Africans have lost their lives through the use of illegal and legal guns – Reeva Steenkamp, Senzo Meyiwa, the three-year-old Luke Tibbets of Westbury and the eight-year-old Nthabiseng Ramoroka of Mamelodi, to mention just a few. What steps has the Committee undertaken or envisages taking towards ensuring that incidents involving guns are reduced in South Africa?

The Portfolio Committee on Police acknowledges the devastating impact that illegal firearms have on our society and the role they play in violent crime, which is unacceptably

high. The Committee has already accomplished several achievements in our focus to address the proliferation of illegal firearms in South Africa.

The Committee recently hosted the National Firearm Summit on 24 and 25 March 2015. The summit was an opportunity for stakeholders, role players and ordinary South Africans to embark on a dialogue on the kind of society we wish to live in and enjoy within the context of gun control. The summit was also an opportunity to foster mutual understanding, common agreements and build a broad consensus on the kind of society we want and the role that firearms play in it.

The summit assisted in bridging the perceived divide of “us” and “them” that was believed to exist between the gun owners’ fraternity and the government departments tasked with regulating gun ownership and use. Furthermore, there was a tacit recognition that government bears the responsibility to legislate and regulate. However, regulating gun control is not solely the responsibility of the state. All stakeholders have a role to play in ensuring effective measures to regulate the ownership and distribution of guns and to prevent and reduce the impact of gun violence on society.

The Committee has also conducted an oversight visit to the Central Firearms Registry (CFR) in Gauteng province towards the end of 2014, where significant challenges were identified. Among other things, the Committee found that the infrastructure is falling apart; the CFR operates with outdated IT systems; there is a high vacancy rate; widespread corruption; and a lack of command and control. The Committee had a follow-up meeting in which the SAPS presented the CFR

Turn-around Strategy and a second follow-up meeting is scheduled for 5 June 2015.

Communities have, for the past couple of years, lost hope in the police due to alleged involvement of some SAPS members in corrupt and criminal activities. How will the Committee ensure that police regain the trust of communities and improve their image?

The policing approach of the SAPS hinges on community-oriented policing. As such, community relationships are crucial to the SAPS. Although the perception of police corruption, brutality and abuse of power are widespread, the SAPS has a majority of law-abiding officers. Various concerns have been raised by non-governmental organisations regarding police impunity, in that a significantly small percentage of internal disciplinary cases lead to guilty verdicts. The Committee is focused on overseeing the modernisation of the SAPS disciplinary processes, as well as the establishment of the Integrity Unit that aims to focus on enhancing the integrity of SAPS members.

After his appointment, Police Minister Mr Nathi Nhleko, announced his intentions to review the South African Police Service Act and make changes to the recruitment policy as part of what was termed “professionalisation of the police service”. Has the Committee monitored the process and what are the latest developments?

The Committee had several engagements with the SAPS on the steps taken towards a more professional service. In this regard, the Committee is guided by the

National Development Plan (NDP), which makes clear recommendations on how to achieve this goal. Some of the most important interventions taken by the SAPS include the following:

- 1) Establishment of relations with research and academic institutions, including the capacitation of the SAPS Research Institute.
- 2) The recently opened Paarl Police Academy, which accepted its first intake during 2014.
- 3) Inclusion of the Code of Conduct in the disciplinary regulations, performance appraisals and basic training programme.
- 4) Modernising the issue of dealing with disciplinary cases.
- 5) Marketing campaigns to attract young graduates to the police service.
- 6) The SAPS has implemented a new recruitment framework underpinned by the vision of an integrated human resources management system.

The Committee continuously monitors achievement on these activities and had a robust engagement with the SAPS on the detail of its implementation plan to achieve the goals set for 2030.

The Committee programme is full and a fast pace is kept by the Committee. What does the Committee do to keep up the work rate?

The Committee is strengthened by a strong support team. Crucially, the Committee receives strong research support on each meeting through preparatory papers and briefings before each meeting. Lastly, the Committee is supported by two Committee secretaries without whom the Committee would not be able to function effectively, as well as a logistics officer. 🌍

Fighting poverty in Mandela Bay Metro

The *Select Committee on Trade and International Relations and the Select Committee on Economic Development visited the Nelson Mandela Bay Metro during the April constituency period to monitor the impact of economic programmes aimed at alleviating poverty, writes Sibongile Maputi.*

The visit was in line with the Committees' mandate of conducting oversight over the work of the municipality. "Parliament allocates funding and Members of Parliament are now following that to see if there is value for money on the ground, and if poverty is being alleviated through economic development programmes," Committee Chairperson Mr Litho Suka said.

Bay Metro's Executive Mayor Councillor Ben Fihla told the Committees that the municipality is working towards consolidating service delivery programmes, despite the challenges it faces. The challenges, as outlined by the metro's Chief Executive Officer of the Business Chamber, Mr Kevin Hustler, included the eradication of the bucket toilet system, the integrated public transport system (IPTS), the Nooitgedacht pipeline conversion, the implementation of the uMthombo project, decreased funding for the catalytic converter industry, infrastructure development, capacity at Port Elizabeth Airport, and electricity supply.

"These challenges hamper economic growth in the metro, but they can be solved if we put our minds together and work collectively. The Business Chamber wants to create an enabling environment for businesses and for the next two years will focus

on attracting new business into the metro," Mr Hustler said.

The Chairperson of the Select Committee on Trade and International Relations, Mr Eddie Makue, said the Eastern Cape was the next area of growth for South Africa's economy. "The province's booming car manufacturing sector, Coega development's potential and the long coastline ought to be injected with the necessary resources and support from the national government in order to maximise economic benefits. If one looks at the objectives of Operation Phakisa (a government programme to exploit potential sea resources for the benefit of South Africans) and the National Development Plan, it is clear that the country ought to be looking to the Eastern Cape," he said.

The President of the Business Chamber, Mr Mandla Madwara, agreed. "Depending on Cape Town, Johannesburg and Durban is not sustainable and will not help South Africa achieve the 5% annual employment growth it aspires to," he said.

He said the potential of the uMthombo project in the energy sector and the catalytic converter industry ought to be enhanced and adequately supported. "These are



the two major job-creating industries and if they were to close down, the province's economy will collapse. The catalytic converter industry alone employs close to 7 000 permanent employees."

The Chairperson of Bay Metro's Finance Committee, Mr Balu Naran, told the Committees that the metro does not have a big pool of resources. "The metro has a 38% unemployment rate and most of these people are unemployable. This impacts negatively on the metro's budget and puts a strain on the metro's municipal services. Currently, the municipality is able to collect 94% of its revenue, but 84% of households are poor and depend on indigent services," he said.

Mr Naran told the Committees that there is a huge inflow of people from the rural areas, and this has an impact on the metro's planning and ability to meet demand for services. "Another big challenge is electricity. Big users think they are being overcharged and that tariffs are not competitive," he



IDLING AWAY: Some of the luxury buses that have been sitting idle since 2010.

said. "This city needs special attention from government, which must look at the competitiveness of the cost of utilities like electricity and water. Port Elizabeth should be able to compete with other cities in attracting investors," Mr Naran said.

Eastern Cape Legislature member Mr Tony Duba said it looked like the metro is continuing with apartheid-era spatial planning, where infrastructure was designed to divide people on racial grounds. "The continuation of apartheid-era spatial planning and the metro's inability to reverse it is concerning. Who leads economic growth between the municipality and the private sector?" he asked.

Mr Makue called on the Bay Metro to take the issue of where it housed black people in relation to economic activity around the metro into consideration. "These Members cannot support housing projects where black people are being located far from economic centres. The metro should engage with the financial

institutions and banks to encourage them to adopt policies that are favourable so that people qualify for bonds," he said.

Committee member Mr George Mthimunye said the metro must be radically transformed. "It is not enough to claim poverty or insufficient budget. The metro is the biggest in the province and the fourth largest nationally. We need to be innovative and radical in transforming the metro. Radicalism in a professional sense should be the approach in order for change to happen," he said.

Members heard about the dysfunctional integrated public transport system (IPTs) in the Bay Metro. A fleet of about 25 new double-carriage luxury buses – used during the 2010 Soccer World Cup – has been dumped in Markman, a fresh produce market outside Port Elizabeth, since 2010.

The Bay Metro Speaker, Ms Maria Herman, told the Committees that

an inquiry into the matter has begun. "This is a matter that will come up in the meeting with the taxi operators. I am mentioning it so that the Committees are made aware that something is being done," she said.

Mr Makue said: "Public transportation should be such that poor communities, living mainly on the outskirts of the city are able to access economic opportunities. The operational model of these buses needs to be orientated to ensure an affordable, efficient and reliable public transport system in the metro."

Committee member Mr Mntomuhle Khawula asked: "For how long have these buses been out of operation? What happened to the staff that was supposed to be employed in this programme? Who is supposed to monitor this operation? What is the role of the provincial Department of Transport in this whole saga?"

Mr Mthimunye called for a parliamentary inquiry into the matter. 🗣️



Protecting the rights of cultural, religious and linguistic communities

The *Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (CRL Rights Commission), a Chapter 9 institution and one of the institutions established to strengthen democracy in South Africa, calls on citizens to defend diversity. This article, another in our series on Chapter 9 institutions, was written by the Chairperson of the CRL Rights Commission, Ms Thoko Mkhwanazi-Xaluva.*

The CRL Rights Commission is established in terms of the Constitution to strengthen constitutional democracy, that is, to promote the rights of cultural, religious and linguistic communities. Its mandate is achievable through both proactive and reactive approaches. Its vision is to work towards a South Africa

that respects diverse cultural, religious and linguistic rights of all communities.

In terms of Section 185 (1), the Commission must:

- * Promote and develop peace, friendship, humanity, tolerance and national unity among cultural,

religious and linguistic communities, on the basis of equality, non-discrimination and free association.

- * Promote respect for and further the protection of the rights of cultural, religious and linguistic communities,
- * Recommend the establishment or recognition of community councils in accordance with national legislation of cultural or other councils for communities in South Africa.

The CRL Rights Commission has embarked on a journey to consolidate the work it has done to date, and to



provide more direction in terms of cultural, religious and linguistic rights so South Africans can get to the point where we celebrate our differences and are not threatened by them and live in peace and friendship. This is what the Commission will be striving to achieve as it builds on the strong foundation it has put into place so far. The values the CRL Rights Commission has identified as important include integrity, transparency, accountability, professionalism, impartiality, responsiveness and respect.

The Commission has worked hard to be characterised by these values since its establishment, especially over the past year. Therefore, South Africans have to ask ourselves, what are the critical pressure points? What are the buttons we have to press to force conversations around this? As a nation,

most of the time we do not want to talk about it. However, over the past year we have seen this change. We have started to hear the beginnings of these conversations. We are hearing the voices and they have made us uncomfortable.

The Constitution is our guiding light in this. We cannot change it and defending it is paramount for the CRL Rights Commission. Most of the projects the Commission has identified and initiated are based on the Constitution and the rights with regard to culture, religion and language, through the Bill of Rights.

When the Commission is approached to deal with an issue, its test is, first and foremost, does it violate the Bill of Rights? If it does not, then the Commission will support it. This is regardless of whether one or 50 or more people support it.

As long as it is a minority right, then CRL Rights Commission will support it. The CRL Rights Commission was established to protect the rights of minorities – as the drafters of the Constitution knew these would need to be protected. In this country, it should also be remembered that the rights of the minorities involve the rights of the majority.

South Africa wants to get to the point where we respect minorities, hence the rights of minority groups are protected and the CRL Rights Commission works tirelessly to identify trigger points. Often these rights can be controversial, because they do not sit well with the majority, but this does not mean we must dismiss them and that these communities do not have the right to practise them. Contrary to this, it is imperative that we address them and this is the mandate of the Commission. This includes issues like virginity testing, initiation and the recycling of graves.

Certainly, these issues make us uncomfortable and this is exactly why we must talk about them. We want to be united in our diversity but – as the above issues prove – diversity is uncomfortable. Take the issue of polygamy. As a feminist you might not understand this practice, but the adult in that community who makes an informed decision to enter into such a marriage needs to be respected and her rights protected. The Constitution protects her right to make such a decision.

However, this does not mean that rights are automatically protected. Firstly, does it violate the Bill of Rights? Secondly, these rights cannot infringe or hurt others. That is why, in the above example of polygamy, the words “informed decision” are used.

The case of virginity testing – is it a violation of the rights of a minority as well as a case of hurting people?

It is a difficult road that the CRL Rights Commission follows and in the past year it has taken what has often been an uncomfortable stance, but it has stood up for what its mandate expects of us. While the Constitution is about protecting these rights, it is also about capacitating communities to take up these rights. Part of the CRL Rights Commission's work is to turn people in communities into activists for their own rights. It is their right to demand the rights which the Constitution provides for them.

It is about moving the struggle from the boardroom into communities. It needs to be more than telling the government to do one, two and three. Communities need to do that. It is only through cooperation and collaboration and working together that the Commission will achieve its objectives. 🌍



Freedom Day 2015

What is Freedom Day?

South Africa celebrates Freedom Day on 27 April to commemorate the first democratic elections. Freedom Day is an annual reflection on the first democratic elections that took place on 27 April 1994. This was the day that most South Africans voted for the first time in their lives.

Why do we celebrate Freedom Day?

Freedom Day marks the establishment of a democratic government. It represents peace, unity and the restoration of human dignity of all South Africans. In addition, Freedom Day encourages South Africans to participate in the commemoration of the struggle to build a non-racial, democratic South Africa with the freedom to prosper.

In the spirit of nation-building, Freedom Day celebrations are intended to unite all South Africans to consolidate democracy. "As I walked out the door towards the gate that would lead to my freedom, I knew if I didn't leave my bitterness and hatred behind, I'd still be in prison" – Nelson Mandela.

What freedom means in our lifetime?

The Constitution of the Republic of South Africa protects basic freedoms. Some of the examples of freedom as explained in Chapter 2 of the Constitution (Bill of Rights) include:

- Freedom and security of the person
- Freedom from slavery, servitude and forced labour
- Freedom of religion, belief and opinion

- Freedom of expression
- Freedom of association
- Freedom of trade, occupation and profession

Parliament and Freedom Day

Through voting, South African citizens can elect political parties to represent them in Parliament. The citizens can also interact directly with Members of Parliament during the constituency period. The attainment of freedom has enabled our country to have a democratic Parliament that is accessible, responsive, open and accountable to its citizens and promotes citizen participation.

The democratic rights of citizens are protected by the Constitution of the Republic of South Africa (Act 108 of 1996). History reveals that Members of Parliament worked tirelessly for all citizens to benefit from freedom granted through democratic processes. For example, Parliament held debates that had been preceded by an extensive consultation exercise to pass the Constitution. The freedoms that are enjoyed today came into being and are documented in the Bill of Rights.

Today, South Africa has a Parliament that places voters at the centre of its constitutional mandate. This is due to mechanisms that are in place for influencing decision-making in the legislative processes and other activities of Parliament. These are achieved through:

- Active participation
- Consultative participation
- Interactive participation

- Passive participation

In order to deepen democracy, Parliament is collaborating with provincial legislatures to develop a public participation process that will grant ordinary citizens the freedom to influence decision-making within all three spheres of government.

Public hearings and Taking Parliament to the People are examples of Parliament's mechanisms and initiatives that create freedom of speech, especially when oral submissions are made. A democratic Parliament enables South African citizens to enjoy the freedom of accessing information and to openly participate in the committee meetings of Parliament.

To celebrate and observe Freedom Day, Parliament held a joint sitting on Freedom Day on 27 April 2015. As a nation we are reminded to continue to respect and be grateful for the freedom that others were willing to die for. In order to enjoy this freedom, citizens need to stand up for their rights on a daily basis and take responsibility for their lives in collaboration with the three arms of state, namely, the legislature, the executive and the judiciary.

For more information on the services offered by Parliament, contact the Public Education Office on 021 403 3341 or email info@parliament.gov.za. To book an educational guided tour of Parliament, contact the Public Education Office – Tours on Tel: 021 403 2266, Fax: 021 403 3817 or email tours@parliament.gov.za 

uSuku lweNkululeko Kowama-2015

Luyintoni uSuku lweNkululeko?

UMzantsi Afrika ubhiyozela uSuku lweNkululeko ngomhla wama-27 kuTshazimpuzi njengesikhumbuzo sonyulo lokuqala lwedemokhrasi. uSuku lweNkululeko lucamngco oluqhutywa minyaka le ngonyulo lokuqala lwedemokhrasi olwaqhubeka ngomhla wama-27 kuTshazimpuzi ngowama-1994. Olu lusuku apho uninzi lwabemi beloMzantsi Afrika lwathi lwavota okokuqala ebomini balo.

Kungani sibhiyozela uSuku lweNkululeko?

USuku lweNkululeko luphawula ukusekwa korhulumente wolawulo lwentando yesininzi. Lumele uxolo, umanyano, kunye nokubuyiselwa kwesidima sobuntu sabo bonke abemi beloMzantsi Afrika. Ngaphezu koko, uSuku lweNkululeko lukhuthaza abemi beloMzantsi Afrika ukuba bathabathe inxaxheba kwisikhumbuzo somzabalazo wokwakha uMzantsi Afrika ongacaluli ngokobuhlanga, olawulwa ngokwentando yesininzi apho kukho inkululeko yokuhubela phambili.

Ngokomoya wokwakha isizwe, imibhiyozo yoSuku lweNkululeko ijolise ekumanyeni bonke abemi beloMzantsi Afrika ngenjongo yokuqinisa iingcambu zolawulo lwentando yesininzi. "Njengokuba ndandiphuma emnyango ndisiya ngakwisango elaliya kundikhokelela kwinkululeko yam, ndandisazi ukuba ukuba ndandingenakushiya ngemva inzondo nentiyo ezazindambethe, ndandiya kuhlala ndisesentolongweni"- UNelson Mandela.

Okuthethwa yinkululeko ngexesha lokuphila kwethu

UMgaqo-siseko weRiphabhliki yoMzantsi Afrika ukhusela amalungelo asisiseko. Eminye yemizekelo yenkululeko njengoko icacisiwe kwiSahluko 2 soMgaqo-siseko (uMqulu wamaLungelo) iquka:

- Inkululeko yokhuseleko lomntu
- Inkululeko ekubeni likhoboka, kwimbophelelo nasekusetyenzisweni ngokunyanzelwa
- Inkululeko yenkolo, inkolelo kunye noluvo
- Inkululeko yokuvakalisa into ayicingayo umntu
- Inkululeko yokudibana nabanye
- Inkululeko yorhwebo, yekhondo lengqesho kunye neyomsebenzi wobungcali

IPalamente noSuku lweNkululeko

Ngokuvota, abemi beloMzantsi Afrika banakho ukunyula amaqela ezopolitiko amawabamele ePalamente. Abemi basenakho nokusebenzisana ngokuthe ngqo namaLungu ePalamente ngexesha leenqila zovoto. Ukuzuzwa kwenkululeko kuye kwanceda ilizwe lethu ukuze libe nePalamente elawulwa ngokwentando yesininzi efikelekayo, ephendulayo, evulelekileyo nenika ingxelo kubemi beli nekhuthaza intatho-nxaxheba ngabemi.

Amalungelo azalwa lulawulo lwentando yesininzi abemi akhuselwe nguMgaqo-siseko weRiphabhliki yoMzantsi Afrika (uMthetho, onguNomb. 108 wowe-1996). Imbali iveza ukuba amaLungu ePalamente asebenza nzima esenzela ukuba bonke abemi bazuze kwinkululeko eyazalwa ziinkqubo zedemokhrasi. Umzekelo, iPalamente yabamba iingxoxo-mpikiswano ezandulelwa yinkqubo yokubonisana eyayinabile ukuze kuphunyezwe uMgaqo-siseko. Iinkululeko ezixhanyulwa namhlanje zathi zabakho kwaye zishicilelwe kuMqulu wamaLungelo.

Namhlanje, uMzantsi Afrika unePalamente ebeka abavoti esazulwini segunya layo elizalwa yidemokhrasi. Oku kungenxa yamanyathelo akhoyo okufuthela uthatho-zigqibo kwiinkqubo zowiso-mthetho kunye nezinye iintshukumo zePalamente. Oku kuzuzwa ngokuthi kusetyenziswe:

- intatho-nxaxheba ngokubonakalayo

- intatho-nxaxheba ngokubonisana
 - intatho-nxaxheba ngentsebenziswano
 - intatho-nxaxheba ngokungenzinto
- Ukuze kube nokuqiniswa kweengcambu zolawulo lwentando yesininzi, iPalamente isebenzisana nezindlu zowiso-mthetho zamaphondo ukuze kube nokuphuhliswa iinkqubo zentatho-nxaxheba luluntu eziya kunika abemi abaqhelekileyo inkululeko yokufuthela uthatho-zigqibo kuwo omathathu amanqanaba karhulumente. Iindibano zovakaliso-zimvo kunye nenkqubo yokuSa iPalamente eBantwini yimizekelo yamanyathelo namalinge ePalamente azalisekisa inkululeko yokuthetha, ngakumbi xa kwenziwe amagalelo omlomo. IPalamente elawulwa ngokwentando yesininzi inceda abemi beloMzantsi Afrika babe nokuxhamla inkululeko yokufikelela kulwazi kunye nokuthabatha inxaxheba ekuhlani kwiintlanganisano zeekomiti zasePalamente.

Ukubhiyozela nokuqaphela uSuku lweNkululeko, iPalamente iza kubamba indibano ehlangeneyo yeziNdlu zombini zePalamente ngomhla wama-27 kuTshazimpuzi kowama-2015. Njengesizwe siyakhunjuzwa ukuba siqhube sihlonela kwaye sibe nombulelo ngenkululeko abanye ababekulungele ukuyifela. Ukuze babe nokuxhamla le nkululeko, abemi kudingeka ukuba bawasukumele bawamele ngeenyawo amalungelo abo mihla le kwaye bathwale uxanduva ngobomi babo besebenzisana namacandelo amathathu ombuso, ukutsho, icandelo lowiso-mthetho, elaseburhulumenteni kunye nelezomthetho.

Ukuze ufumane iinkcukacha ezithe vetshe malunga neenkonziso ebonelela ngazo iPalamente, qhagamshelana: neOfisi yoFundiso loLuntu kule nombolo 021 403 3341 okanye uthumele i-imeyile kule dilesi info@parliament.gov.za. Ukuzibekela indawo kukhenketho lokwazisa ngePalamente olukhokelwa ngamagosa akhona, qhagamshelana: neOfisi yoFundiso loLuntu - uKhenketho kule nombolo 021 403 2266, kule nombolo yefeksi 021 403 3817 okanye kule dilesi ye-imeyile tours@parliament.gov.za  **iguqulelwe ngu Mthunzi Calata.**



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